

UNIVERSITY REPORTING PROTOCOL:
CHILD ABUSE AND OTHER HARM TO CHILDREN

FREQUENTLY ASKED QUESTIONS (FAQ)

1. How do I report child abuse or child neglect?

Mandated reporters (as defined under state law and explained in FAQ 2 below) must call 855-444-3911 any time day or night or complete online reporting through the Michigan Online Reporting System. Detailed information for mandated reporters is available on the Michigan Department of Health & Human Services (“MDHHS”) website. A report should also be made to the MSU Police Department if the abuse or neglect occurred on campus or involves a member of the University community.

Employees and volunteers who are not mandated reporters must report suspected child abuse or neglect directly to the MSU Police Department at 517-355-2222. Employees and volunteers who do not know whether they are a mandated reporter should call the MSU Police Department.

2. What is the difference between a “mandated reporter” and other employees and volunteers who are required to report to the MSU Police Department?

The term “mandated reporter” refers to a specific list of professionals who are required by Michigan law to file reports of suspected child abuse or child neglect directly with MDHHS/Child Protective Services (“CPS”). The list of “mandated reporters” is included in Section III.E of the Reporting Protocol document. Failure to report pursuant to state law is a misdemeanor crime.

The University requires all other employees and volunteers to report suspected child abuse or child neglect directly to the MSU Police Department.

Employees who are confused about whether they are a mandated reporter should contact the MSU Police Department for assistance.

3. I am a licensed psychologist and already know that I am a mandated reporter under state law. Do I need to call the MSU Police Department to report suspected child abuse after I file an immediate report with Child Protective Services?

No, not unless the suspected child abuse involves a member of the MSU community or occurred on campus. Medical and other health professionals may follow their unit’s established reporting protocols for suspected child abuse and neglect. If these protocols require reporting to a third party, the MSU professional needs to understand that the professional is still obligated to report suspected child abuse and neglect to MDHHS/CPS. If unit protocols do not require a report to the MSU Police Department, a report is encouraged for MSU’s information.

4. Do MSU faculty, administrators, and academic advisors fall within the definition of a school teacher, school counselor, or school administrator?

Michigan courts have not yet addressed the status of university faculty, academic advisors, and administrators as mandated reporters under state law. The Department of Human Services has advised the University that its faculty, academic advisors, and administrators are not intended to be included in the scope of mandated reporters required to report directly to CPS under Michigan law.

5. I am a graduate teaching assistant. Am I a mandatory reporter? What are my reporting obligations?

Teaching assistants are not considered mandated reporters by virtue of their instructional duties. A teaching assistant would only be a mandated reporter if they are also one of the listed professionals in the Reporting Protocols document (e.g., physician, nurse, social worker). Teaching assistants are required to report suspicions of child abuse or child neglect directly to the MSU Police Department at (517) 355-2222. The teaching assistant should then notify their faculty of record for the course that a report has been made.

6. What are potential indicators of child abuse or neglect?

Information regarding commonly accepted physical and behavioral indicators of abuse and/or neglect can be found under the Abuse and Neglect tile on the Michigan Department of Health & Human Services (“MDHHS”) website at <http://www.michigan.gov/mdhhs>.

7. What is the Child Protective Services investigation process?

A summary of the CPS investigation process can be found at:
http://www.michigan.gov/dhs/0,4562,7-124-7119_50648_7193-159484--,00.html.

8. Is it necessary to have evidence of child abuse or neglect to report?

No. State law requires mandatory reporters to make an immediate verbal report to MDHHS if the mandated reporter *suspects* child abuse or neglect, followed by a written report within 72 hours (or submit the report online through the Michigan Online Reporting System). Pursuant to the MDHHS website, the reporter is not expected to investigate the matter, know the legal definitions of child abuse and neglect, or even know the name of the perpetrator. For additional information about mandatory reporting, please review:
https://www.michigan.gov/documents/mdhhs/MR_Guide_to_Detailed_Reporting.3.14.19_65372_7_7.pdf.

9. If I report, will my identity be confidential?

MDHHS/CPS will keep the identity of a reporting person confidential under the Child Protection Law. State law provides for only limited circumstances when the identity of a reporting person can be disclosed.

MSU's Police Department and Office of Institutional Equity will keep private the identity of a reporting person, except where disclosure is required to comply with applicable policy, court order, law, or regulation.

10. What should I do if a child tells me that they have been physically or sexually abused or neglected?

Mandated reporters should refer to their professional training on how to respond if a child tells them something happened. Detailed information about reporting obligations is also available in the Abuse & Neglect section of the MDHHS website.

Employees who are not mandated reporters should avoid questioning, interviewing, or otherwise attempting to elicit additional information from the child. Rather, the employee is encouraged to stay calm, listen to the child, avoid displaying signs of shock or disapproval, and then immediately report the information received to the MSU Police Department.

11. An adult student disclosed in a writing assignment that they were physically abused by a parent when they were a child. As an MSU instructor, am I required to report this?

Michigan courts have not yet addressed the status of college and university faculty as mandated reporters, nor have they addressed the legal obligation to report prior abuse disclosed by adult students directly to MDHHS/CPS. How to respond to prior abuse disclosed by an adult student is a difficult issue. University reporting protocols must be sensitive to the emotional needs of current students, yet also be cognizant of the fact that other children may currently be at risk from the alleged abuser.

When an adult student discloses prior child abuse (*e.g.* in a conversation or written classroom assignment), employees who are not mandated reporters may report to the MSU Police Department as they would ongoing abuse. Alternatively, employees who are not mandated reporters may choose to consult with the Office of Institutional Equity (OIE). OIE will determine whether, based on the information available, there is reasonable suspicion that a child is currently being neglected or abused. OIE will then make any necessary reports to the MSU Police Department for report to MDHHS/CPS. OIE will also advise the employee regarding information to share with the disclosing student, including University resources, or reach out to the student directly.

Mandated reporters who receive a disclosure in their role at the University will determine, based on their training and experience, whether there is reasonable suspicion a child is currently being neglected or abused. Mandated reporters will then file any necessary reports directly with MDHHS/CPS and the MSU Police Department. (Reports are made to the MSU Police Department when the suspected abuse or neglect occurred or is occurring on campus or involves a member of the University community.)

12. An adult student disclosed that they were sexually abused by a parent when they were a child. Am I required to report this?

Faculty or staff who receive a report of prior child sexual abuse should follow the same guidance as outlined in FAQ 11. They must also consider whether they have additional reporting obligations including as a Clery Campus Security Authority to MSUPD or to the Office of Institutional Equity as required under the [Reporting Protocols: Relationship Violence, Sexual Misconduct, and Stalking](#). When an employee in MSU's Office for Civil Rights (including its Office of Institutional Equity and Resolution Office) receives a report of prior child sexual abuse, they will report it to the MSU Police Department.

13. If OIE is required to disclose prior abuse to Child Protective Services or the MSU Police Department, will the student be informed that a report is being filed?

Yes. The student will be informed that a report must be filed because there is a reasonable suspicion that a child is currently being abused or neglected. The student will also be provided information regarding the availability of University counseling and support resources, including a referral to MSU's Counseling and Psychiatric Services.

14. If I am required to report child abuse or sexual assault that is disclosed to me as a faculty member, should I advise students of my reporting obligations in advance?

Faculty members are encouraged to include language on their syllabus to notify students about their reporting obligations. The following is sample language that might be included on a syllabus:

***Limits to Confidentiality.** Essays, journals, and other materials submitted for this class are generally considered confidential pursuant to the University's student record policies. However, students should be aware that University employees, including instructors, may not be able to maintain confidentiality when it conflicts with their responsibility to report certain issues based on external legal obligations or that relate to the health and safety of MSU community members and others. As the instructor, I must report the following information to other University offices if you share it with me:*

- *Suspected child abuse/neglect, even if this maltreatment happened when you were a child;*
- *Allegations of relationship violence, sexual misconduct, stalking, or retaliation when they involve a member of the University community or occurred at a University-sponsored event or on University property; and*
- *Credible threats of harm to oneself or to others.*

These reports may prompt contact from a campus official who will want to talk with you about the incident that you have shared.

In almost all cases, it will be your decision whether you wish to speak with that individual. If you would like to talk about these events in a more confidential setting you are encouraged to

make an appointment with the MSU Center for Survivors, MSU Safe Place, or MSU's Counseling and Psychiatric Services.

15. The definition of “child abuse” in the protocols is limited to harm from specific individuals. What if I suspect a child is being abused by someone who is not a parent, legal guardian, teacher, clergy member, or other person responsible for the child’s welfare?

The definition of “child abuse” contained in the protocols is taken directly from the Michigan Child Protection Law. Suspicion that a parent or other person who is responsible for the child’s welfare has abused or neglected the child must be reported to MDHHS/CPS for potential investigation.

Investigation of suspected harm to a child by any other person would likely be handled by law enforcement, and employees and volunteers must report any suspected harm to a child that they learn about in the context of their role at the University to the MSU Police Department.

16. What if I suspect that my neighbor is abusing their child or I observe potentially abusive behavior at my local playground? Do the protocols require that I report that to the MSU Police?

No. The reporting protocols address situations when, because of an individual’s employment or volunteering at MSU, they suspect a child may be harmed, abused, or neglected. Suspicions about potential harm, abuse, or neglect that are unrelated to MSU do not need to be reported to the MSU Police Department under the protocols. Nevertheless, employees and volunteers are strongly encouraged to report any suspected harm to children to law enforcement even if such reporting is not mandated by this policy. If an individual is unsure of which law enforcement agency to contact, an inquiry can be made to the MSU Police Department.

17. What reporting obligation covers a MSU student teacher or intern who is “in the field” at a K-12 school or other field placement and suspects a child is being abused or neglected?

The MSU student should immediately notify the teacher or other supervisor to whom they are assigned in the field. K-12 teachers and school administrators, as well as regulated child care providers, are mandated reporters and will contact MDHHS/CPS directly. The student should also notify their faculty instructor at MSU so that the faculty member can provide any necessary assistance or advice. If for some reason the MSU student does not believe the school teacher or other supervisor has reported the suspected abuse to MDHHS/CPS, the student and their faculty member will determine whether the student should contact MDHHS/CPS directly.

18. I conduct research in the area of child abuse. How do these reporting obligations affect my research and ability to promise confidentiality to research subjects?

Disclosures made by research subjects in the context of the research project may not prompt reporting obligations depending on the nature and funding of the research. For example, current

or past abuse is not reportable when identifiable research data is collected under Department of Justice Privacy Regulations unless a separate consent to allow reporting is obtained from the research subject. If a faculty member believes a research project may elicit personal accounts of child abuse or neglect, the researcher should discuss this with the Institutional Review Board to determine whether disclosures are subject to reporting.

19. I work in or conduct research in other states that might give rise to disclosures of child abuse/child neglect. What are my reporting obligations?

If the suspected child abuse/neglect is occurring in a different state, the researcher should follow the same reporting protocol as outlined in the policy.

- Mandated Reporter: report to MDHHS/CPS and MSUPD
- Other individual: report to MSUPD

This means the report is made to MDHHS/Child Protective Services in Michigan. Both MDHHS/CPS and MSUPD will refer the report to the appropriate jurisdiction.

20. I conduct research in other countries that might give rise to disclosures of child abuse/child neglect. What are my reporting obligations?

The Department of Human Services informed the University that state law reporting obligations do not apply when the suspected child abuse/neglect involves perpetrators and actions outside of the United States. In such situations, the researcher does not need to report to MDHHS/CPS.

Researchers must report suspected child abuse/neglect occurring outside of the United States to the MSUPD if the suspected abuse/neglect involves a member of the University community.

Researchers are encouraged to consider whether they may safely provide research subjects with information and referral services to local organizations that provide health care, education, and advocacy for such situations. Researchers may also confer with the MSUPD Special Victim's Unit to assess whether safe reporting options exist for the victim.

Keep in mind that this exception is limited to a narrow range of situations that fall outside of the jurisdiction of U.S. child protection and law enforcement agencies. If an incident of suspected child abuse/neglect would normally be reportable but merely happens to occur abroad (e.g., Michigan family on vacation overseas), it should be reported through the normal protocols.

21. Where can I get additional information about child abuse?

The Small Talk Children's Assessment Center has useful information for individual's wanting to learn more about child abuse, including signs of abuse and how to report. Information about local community resources is also listed on the website. The website can be found at www.smalltalkcac.org.

22. I am confused about the definition of child sexually abusive material. Where can I get more information?

The full text of the Michigan statute (MCLA 750.145c) that prohibits child sexually abusive material can be viewed at <http://legislature.mi.gov/doc.aspx?mcl-750-145c>.

23. What do I need to know about the 2021 revisions to this Protocol?

The current, updated Protocol reflects MSU's expectation that its employees and volunteers act immediately when they learn of harm to a child in their role at MSU, whether the harm is committed by a parent or teacher – or someone else. Employees and volunteers who report in good faith will not be subject to discipline or corrective action for making a report.

In addition, the revised Protocol:

- Refers employees and volunteers to the separate *University Reporting Protocol: Relationship Violence, Sexual Misconduct, and Stalking* for detailed information on reporting incidents that include sexual misconduct.
- Replaces the term “child pornography” with the term “child sexually abusive material” as used under Michigan law.

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